

Farmington City Council Meeting

March 19, 2014

WORK SESSION

Present: Mayor Jim Talbot, Council Members John Bilton, Brigham Mellor, Cory Ritz and Jim Young, City Manager Dave Millheim, Finance Director Keith Johnson, City Engineer Chad Boshell, Development Director David Petersen, and City Recorder Holly Gadd. Council Member Doug Anderson was excused.

URMMA

Representatives from URMMA (Utah Risk Management Mutual Association) provided training for the **Mayor** and City Council. They provide third-party liability insurance, risk management services and education services to the City of Farmington and other municipalities in the State of Utah.

REGULAR SESSION

Present: Mayor Jim Talbot, Council Members John Bilton, Brigham Mellor, Cory Ritz and Jim Young, City Manager Dave Millheim, Finance Director Keith Johnson, City Engineer Chad Boshell, Development Director David Petersen, Parks & Recreation Director Neil Miller, and City Recorder Holly Gadd. Council Member Doug Anderson was excused.

CALL TO ORDER:

Roll Call (Opening Comments/Invocation/Pledge of Allegiance)

The invocation was offered by **Mayor Talbot** and the Pledge of Allegiance was led by local Boy Scout **Hunter Tyson** of Troop 1698.

REPORTS OF COMMITTEES/MUNICIPAL OFFICERS:

Executive Summary for Planning Commission meeting held March 6, 2014

David Petersen reported that the Planning Commission approved the following:

- Final (PUD) Master Plan for Kestrel Bay Estates;
- Conditional use and site plan to expand the Public Works building, upgrade the parking lot and provide a storage building at 720 W 100 N;
- Conditional use and site plan for a dental office on .55 acres at 1495 N 1075 W.

Save Farmington

Lori Kault explained that “Save Farmington” is a citizen’s group dedicated to protecting the interests of the City and fighting against another freeway. She thanked City staff and officials for their efforts to ensure that the federal process is followed and to work with UDOT toward a viable solution. The City Manager encouraged residents to read the information posted on the City’s website.

Annual Progress Report of the Farmington Trails Committee (FTC)

FTC Chairman **George Chipman** (433 S 10 W) reported that 11.9 miles of new trails were completed during 2013 resulting in a total of 128.4 miles. There are 55 Trail Chiefs, and five boys earned their Eagle Scout rankings by improving various trails. The sale of trail maps and guide books remained steady, and several priority projects were completed. He was nominated as Chairman for 2014, and **Bonnie Shepherd** (720 Somerset Street), **Greg Tanner** (12 W 580 S), **Tracy McCoy** (685 S 350 E) and **Justin Smith** (226 W 900 N) were nominated to fill the remaining positions. He is against the use of City trails for private motorized vehicle access but pedestrian access is encouraged. The **Mayor** and City Council thanked him for his service.

Motion:

Cory Ritz made a motion to accept the nominations as presented by the Chairman. **John Bilton** seconded the motion which was unanimously approved.

PUBLIC HEARINGS:

Kestrel Bay Estates Final (PUD) Master Plan, Final Plat, and Rezone

David Petersen said the rezone from R-8 and AE to R will be effective when the plat is recorded. He showed slides of the master plan, the landscape plans and the proposed connection between 450 S and Frontage Road and said the project will be done in two phases.

Public Hearing:

The **Mayor** opened the public hearing at 7:15 p.m. There were no public comments and it was closed.

Motion:

John Bilton made a motion to approve:

1. The Final (PUD) Master Plan (50 lots) for the Kestrel Bay Estates PUD consisting of 50 lots on 8.68 acres located at approximately 500 S 200 W;
2. The Final Plat for the Kestrel Bay Estates PUD Phase 1 (30 of the 50 lots);
3. The enclosed ordinance rezoning the property from R-8 and AE to R (PUD);

subject to all applicable Farmington City ordinances and development standards and the conditions and findings recommended by the Planning Commission and an amendment to

condition #1 to include approvals of sidewalks and stop signs by the City Traffic Engineer. The motion was seconded by **Jim Young** and unanimously approved.

Building Height/Setback Amendments – BP Zone

David Petersen said Indulgent Foods would like to construct a 3-story office building near their existing building at 228 S 200 W. They need 45 feet in height, but a 40-foot height limit in the BP Zone was established in 1994. Prior to that time, the height limit was 60 feet in a C-2 Zone. There are no records showing why the height limit was reduced, and staff is in favor of raising the height limit to 45 feet and modifying the setback distances.

Dave Cowley, 2107 York Circle, said they initially planned a 2-story building, but an additional story is necessary to accommodate both their business and Thomas Arts.

Public Hearing:

The **Mayor** opened the public hearing at 7:25 p.m. There were no public comments and it was closed.

Motion:

Jim Young made a motion to approve the ordinance increasing the building height in the BP zone from 40 to 45 feet and not to exceed 3 stories and to modify the building setback distances as set forth therein and to accept the findings established by the Planning Commission. **John Bilton** seconded the motion which was unanimously approved.

Residential Setbacks in Conservation Subdivisions

David Petersen explained that the Planning Commission tabled action on this issue to allow time to adequately review the proposed amendments to Chapter 12.

Public Hearing:

The **Mayor** opened the public hearing at 7:35 p.m. There were no public comments and it was closed.

Motion:

John Bilton made a motion to table this item pending a recommendation from the Planning Commission and to hold a second public hearing when it is re-submitted to the Council. **Cory Ritz** seconded the motion which was unanimously approved.

Historic Landmark Designation – Walter Grover Home

David Petersen said owner **Bob Amodt** made a significant addition to this home and converted it from a residence to a business. He has requested a historic landmark designation for this home, and the Historic Commission has recommended approval.

Public Hearing:

The **Mayor** opened the public hearing at 7:50 p.m.

Alex Zeziger, 61 W Sunrise Way, asked where the building is located and was told that it is east of the Lagoon office building.

Annette Tidwell, 67 W 100 N, appreciated **Bob Amodt's** effort to request a Historic Landmark Designation, and she encouraged other residents to do the same.

Alyssa Revel, 208 W State Street, said this home was not accepted by the National Register of Historic Places because of the addition, but the City's ordinance allows a property owner to have their property designated if the Historic Commission considers it an important site. This is the only remaining Walter Grover home in Farmington, and it was built for his sixth wife, Elizabeth Walker Grover, by her oldest son.

The public hearing was closed at 8:00 p.m. **Dave Millheim** asked if information regarding this home could be included in the City's newsletter, and the Council directed him to work with the Historic Commission to prepare the article.

Motion:

John Bilton made a motion to approve the ordinance designating the Walter Grover home at 630 N Main Street as an historic resource on the Farmington Historic Landmarks Register as requested by the owner, **Bob Aamodt**, and as recommended by the Farmington City Historic Preservation Commission. **Jim Young** seconded the motion which was unanimously approved.

TOWN HALL MEETING:

Barbara Stevens, 1846 Ranch Road, sent several emails to the previous mayor regarding reduced-fare UTA passes and asked if it would be possible for the City to work with UTA to make mass transit more economical. She lives in the western part of Farmington--there is no West Farmington--and access to Frontrunner or bus stops is limited. She and her husband both teach school in Salt Lake City, and their respective school districts will not provide discounted passes. **Brigham Mellor** said the City may be able to obtain discounted passes for its residents, and **David Petersen** said UTA offers a fair-pay pass which is 20% off through December 31st and ride-clear passes on Facebook periodically.

Matthew Gore, 2068 Silver Spur Way, thanked the City Manager and the **Mayor** for attending the Farmington Ranches HOA meeting. The FR HOA has numerous residents and there are varied opinions among the group. Several people commented that the City maps need to be updated.

Alex Zeziger, 61 W Sunrise Way, asked if school buses could be upgraded to reduce pollution. The **Mayor** said the Davis School District owns the buses, and when he will discuss it with them later this week. **Alex** also asked about the Fadel sign. **Dave Millheim** explained that the City is currently in a legal battle with the owner of the sign which is unsafe and is an eyesore, and a court hearing will soon be held.

Barbara Stevens did not attend the HOA meeting, but she was probably one of the offenders because she was trying to figure out what was going on. She asked if trailers, boats, and motor homes would be able to use the roundabout, and **Dave Millheim** said it will be a very large, 2-lane roundabout to accommodate large vehicles, with an island on each of the four legs.

Christene Mickelson, 17 N Buffalo Road, thanked City leaders for their efforts to lessen the impacts of the West Davis freeway. She read in the last newsletter that residents must obtain a building permit to replace a water heater. She asked why there has been construction machinery near the entrance to Farmington Ranches on Clark Lane for several months. **Dave Millheim** said there are national building codes regarding seismic bracing issues, and recent changes have made it more difficult to install the heaters properly to avoid carbon monoxide poisoning. The equipment on Clark Lane is owned by the City and will be used to install several large storm drain lines in advance of the Park Lane reconstruction project—a permit from UTA is pending.

Tom Owens, is concerned about a property owner in the Grove who has adopted the public trail near 600 N as his own private driveway. Construction equipment has blocked the trail, and a concrete driveway was recently poured from his garage to the trail. **Dave Millheim** said the homeowner is in violation of his building plan because he built a water line on top of the easement without permission and did not obtain a permit for the retaining wall. The City will not issue a Certificate of Occupancy (CO) until the issues have been resolved. Possible solutions include having the City fence the back side of the trail or requiring the property owner to install a fence. He recommended that the owner be required to bond with the City to relocate the water line and to install a fence in lieu of being required to remove his retaining wall and driveway.

Motion:

Cory Ritz made a motion to authorize the following:

1. A temporary or permanent CO will not be issued until the issues have been addressed;
2. A bond will be obtained from the property owner to cover the cost of moving the water line to a suitable location and to install a fence along the property line (similar to the existing fence) with no more than a 4-foot gate; and
3. There will be no private access for motorized vehicles on any of the City trails without permission.

The motion was seconded by **Jim Young** and unanimously approved.

Joe Judd, 108 W 600 N, thanked City staff and leaders for their efforts regarding trails and specifically this issue. He is concerned about parking near this trail access and asked that the City prohibit parking in this area.

Greg Tanner, 12 W 580 S, suggested marking the parking spaces—possibly two regular and one handicapped—and reducing the gate width to 3 feet and having it swing open toward the private property.

SUMMARY ACTION:

Summary Action List

1. Arbor Day Proclamation
2. Ratification of Park Property Purchase Agreements
3. 2014 Board of Adjustment Appointments

Motion:

Jim Young made a motion to approve the Summary Action List and noted that item 2 includes the purchase of a home on 650 W owned by **Julie Beynon** and the **Holbrook/Tingey** property. **Cory Ritz** seconded the motion which was unanimously approved.

NEW BUSINESS:

Improvements to the UTA Bus Stop Pads/Benches

Motion:

Brigham Mellor made a motion to postpone the improvements to the UTA Bus Stop pads/benches until 2015. **Cory Ritz** seconded the motion which was unanimously approved.

Election for the GO Bonding and RAP Tax for the Construction of the Regional Park and Gym in November 2014

Dave Millheim explained that the City has obtained 50 acres of property for a regional park and gym. Staff is asking for authorization to formulate plans for a general obligation (G.O.) bond and a recreation, arts and parks (RAP) tax election in November 2014 and to ask the Council to earmark future park impact fees to help pay for the Park/Gym. The City will collect 1/10th of 1% from the sales tax, and because 40-60% of the sales tax spent in Farmington is from people who do not live in the City it will be a very beneficial way to raise money. **Brigham Mellor** said a committee will be formed by Parks & Recreation Director **Neil Miller** which will include two City Council members, and he suggested using a master plan of the park to inform residents.

Motion:

John Bilton made a motion to approve the G.O. bond and RAP tax elections for November 2014. **Cory Ritz** seconded the motion which was unanimously approved.

GOVERNING BODY REPORTS:

City Manager – Dave Millheim

- The February Reports for the Police and Fire Departments were in the staff report.


Mayor – Jim Talbot

- He reminded the Council of the Utah League of Cities and Towns which will be held April 9-11 in St. George.
- He asked the Council to submit suggestions for Mother of the Year at the next meeting.
- The **Mayor** suggested having the Town Hall Meeting during a City Council meeting several times each year. **Dave Millheim** said it should be carefully considered and the scheduled items must be the highest priority.

ADJOURNMENT

Motion:

Brigham Mellor made a motion to adjourn the meeting. The motion was seconded by **Cory Ritz** and unanimously approved, and the meeting was adjourned at 9:30 p.m.



Holly Gadd, City Recorder
Farmington City Corporation

March 19, 2014

To: Farmington City

First off, thank you for allowing me to take a few minutes of your meeting tonight. My name is Lori Kalt and I represent Save Farmington, which is a citizens group here in Farmington dedicated to protecting the interests of our wonderful city. SaveFarmington has fought hard, for several years now, to protect our city from the threat of a massive freeway.

If I can be honest with you, everybody knows what's been going on with this proposed freeway. I think at a gut-level, people have felt all along that this freeway was being ram-rodged down their throats. And if you are like me, it seemed that the worst possible scenario was being manipulated to appear as though it was the "best", and even the "only" scenario for a supposed much-needed highspeed freeway. I'm sure you, like me, wondered at times, how can the machine be stopped? Does anyone else see what I am seeing? Does anyone else care? How can this be right?

On a personal level, after spending countless hours studying documents, speaking with experts on the subject, and attending countless meetings, I became convinced that what my gut was telling me was true. There were just too many inconsistencies, missteps, and not-surprises about this freeway. Of course, when each of these items is evaluated separately, they can somehow be argued away, and sometimes even forgotten. But when if they are evaluated together, as a whole, they cannot be argued away, and certainly not ignored. I became a firm believer, that in many of these instances, and in particular, regarding Farmington City's Conservation Easements being ignored (and I quote Farmington city here) that it "was the result of a pre-determination of a preferred alignment and alternative" and that, regarding the de-minimis finding of Farmington's 4(f) properties anyway, the "review effort and conclusions were reverse-engineered to support that preconceived result." Basically, UDOT knew where they wanted to build this freeway and they set about making that happen.

We are here tonight to publicly recognize and thank Farmington City for doing the right thing – for standing up against the machine. For standing up to outside pressure, which I am sure they must be getting. For standing up to do what's right. There's a federal process that is supposed to be followed, and it has not been followed. I know Farmington City has worked hard to meet with and respond timely to UDOT official's requests for information, to meet with other community officials, Davis county Commissioners, and others to try to find a viable solution. We all know that ram-rodging and thwarting the process is not in the best interest of any of our communities. Being open and honest and working through the federal process, in the manner which has been outlined according to the federal guidelines, is the best thing for all our communities. Thank you to Farmington City for recognizing the federal process, for taking the time and initiative to investigate the process, for taking time to get informed, and for making some hard decisions on behalf of our community.

Our current and former mayor have worked tirelessly to do what's best for our community. Our city council members, both former and present, volunteer their time and efforts on behalf of our community. We have elected these people. They are good people. On behalf of SaveFarmington, we want you to know that we recognize what you do, and we thank you for what you do! Thank you Mayor Talbot. Thank you former Mayor Harbertsen. Thank you to our city manager, Dave Millheim. Thank you to our current city council members and also our former city council members. Thank you for making some difficult decisions for our community. Thank you for standing up in the face of pressure. Thank you for staying informed. Thank you for genuinely being servants to our community! We applaud you and recognize your efforts! Thank you.

Lori Kalt, President
SaveFarmington